

MEMORANDUM

TO: Hazardous Waste Permit Staff
Howard Freeland

FROM: Leslie A. Romanchik

DATE: October 25, 1994

COPY: Hassan Vakili

SUBJECT: Hazardous Waste Permit and Closure Plan Processing Guidelines

Attached is a copy of the hazardous waste permit and closure plan processing guidelines signed by Hassan. Implementation of these procedures shall begin immediately. These guidelines must be adhered to by all staff.

Although not specifically addressed in the guidelines, site visits are highly recommended. At a minimum, all facilities for which we are processing operating permits must be visited by the permit writer. An appropriate number of man-hours will be assigned by the supervisor for this visit.

If you should have any questions regarding this matter, please see me.

Attachment

HAZARDOUS WASTE PERMIT/CLOSURE PLAN PROCESSING GUIDELINES

The processing system for hazardous waste permits and closure plans has been standardized in order to facilitate the timely processing of applications and closure plans. Permit Supervisors are responsible for assigning work to their staff. In addition, they shall ensure that the workload is evenly distributed among their permit team members and that the work is handled in an efficient and timely manner.

Any major submittal received must be acknowledged within 10 working days of receipt. This includes Part B applications, permit modifications and closure plans. General correspondence, i.e., regulatory interpretations, questions concerning permitting requirements, etc. must be responded to within 10 working days of receipt, or acknowledged within 10 days and responded to within 30 calendar days. On the average, no more than 8 man-hours should be spent on general correspondence, except with prior approval.

The following delineates the man-hours allotted for permit and closure plan review.

PERMIT REVIEW

1. The Part B permit application shall be acknowledged within 10 working days from receipt.
2. A completeness review of the Part B permit application is allotted a maximum of 40 man-hours. The review shall be completed and a letter finalized within 60 days from the date of receipt of the Part B application. If the Part B application is found to be complete enough to proceed with the technical review phase, a letter shall be sent to the facility notifying them that the application is complete and that the Department will proceed with the technical review.

3. If the application is found to require revisions prior to a full technical review, a notice of deficiency (NOD) shall be sent to the applicant notifying him of the need for revisions, and requesting the submittal of a revised application. The NOD should contain a 45 day time limit for the applicant's response. The permit writer is responsible for tracking the response due date. If no meeting has previously been held, the permit writer shall recommend to the applicant that the applicant and/or his consultants meet with the Department staff to discuss the specifics of the deficiencies found during the completeness review. Eight (8) man-hours shall be allotted for preparation and attendance at each meeting. Additional time may be assigned by the HW Permit Manager for travel to meetings.
4. Once a response to the first completeness review is received, the revised Part B permit application will again be subjected to another completeness review. A maximum of forty (40) man-hours will be allotted for this review. If the application is still found to be incomplete, a second NOD will be sent noting that the application is still incomplete and requesting that another revised application be submitted. The letter should warn the applicant that if a new Part B application is submitted and still is unacceptable, the permit application may be denied, and the applicant would have to close, or in the case of a new unit, begin the entire permit process again including submittal of a new permit application fee.
5. If a third completeness review is required, it shall be accomplished within a maximum of 24 man-hours. If the application is still found to be incomplete, permit denial may be pursued. In this case, the issues regarding the denial shall be discussed with the HW Permit Manager in order to determine the conditions of the denial.
6. Once the Part B application has been found to be complete, the permit writer shall begin the technical review phase. The first full technical review phase is allotted a maximum of 200 man-hours for completion. For land disposal facilities, the review of the groundwater monitoring plan shall be performed by a geologist within a maximum of 24 man-hours. If the permit writer schedules a meeting with the applicant to include a discussion of the groundwater monitoring plan comments, an additional 8 man-hours for preparation and time spent in attending the meeting shall be allotted for the geologist.
7. Should the permit writer determine the application to be technically deficient, the permit writer shall prepare a NOD indicating the areas of deficiencies. The NOD should also contain a recommendation that the applicant meet with the permit staff to discuss the deficiencies noted. The NOD should warn the applicant that if no meeting has taken place, and the revised Part B application is resubmitted with uncorrected, major deficiencies, the Department may pursue denial of the permit.

The NOD should contain a request for revisions to be submitted with 30 days of receipt of the NOD, or if field work is necessary, the revisions may be provided within 45 days. However, the permit writer may grant additional time if justified. In addition, the NOD should warn the applicant that if the revision is not submitted within the requested timeframe, the application may be denied or dismissed. If additional time is requested, the applicant shall submit an extension request with the understanding that this will delay the application review process and permit decision. The permit writer is responsible for tracking the due date of the revision and contacting the applicant either by telephone or in writing to ascertain the status of past due submittals.

8. If the first technical review resulted in a NOD and a revised application is received, the second technical review shall begin. This review shall be completed within a maximum of 80 man-hours. The ground water monitoring plan review shall be completed within a maximum of 24 man-hours. If deficiencies noted in the first technical review still exist, permit denial may be pursued. In those cases, the Permit Supervisor shall discuss the unresolved deficiencies with the HW Permit Manager. If the application is still deficient, another NOD shall be sent specifying the required revisions. Thirty (30) days shall be provided for a response.
9. If a third technical review is required, it shall be completed within a maximum of 40 man-hours. The ground water monitoring plan shall be reviewed within a maximum of 16 man-hours. If only minor deficiencies remain, a third NOD will be sent specifying the minor revisions necessary to draft the permit. On the other hand, should major uncorrected deficiencies still remain after a third technical review, permit denial may be pursued as above.
10. In the case of permit denial, 32 man-hours is allotted for the denial process. Additional time may be allotted depending on the specific circumstances regarding the denial.
11. Drafting of the permit is allotted 40 man-hours for completion. The comment and finalization phase of the permit (including preparation of notices, hearing, responding to comments and revision of draft permit) is allotted a maximum of 40 man-hours.

CLOSURE PLANS

1. Closure plans are to be reviewed for both administrative and technical adequacy. The first review phase is allotted man-hours (including public notice) according to the type of unit as indicated in Table 1. Any meetings with the facility representatives are allotted 8 man-hours. Note that according to VHWMR §9.6.C.4.d., the plan must be approved or a NOD sent within 90 days of receipt of

the plan. All NODs shall require a response within 30 days. This may be increased or an extension granted depending on the nature and extent of the requested revisions and with concurrence of the Permit Supervisor. The permit writer is responsible for tracking the response due date and contacting the facility either by telephone or in writing as to the status of overdue submittals.

2. When the revised closure plan is received in response to the first NOD, the review phase is allotted the man-hours indicated in Table 1. If major deficiencies are still noted, the permit writer shall discuss the problems with the Permit Supervisor, and additional man-hours assigned, either for rewriting the closure plan or for referral of the matter to the Office of Enforcement (OE). The revised closure plan must be approved or a referral made to OE within 60 days of receipt.

These permit processing guidelines may be modified or amended as needed.

APPROVED: [Signed]
Hassan Vakili
Acting Director
Waste Operations

DATE: 10/24/94

Table 1

Timeframes for Closure Plan Review

Type of Unit	First Review (Man-Hours)		Second Review (Man-Hours)	
	New Employee	After 6 Months	New Employee	After 6 Months
Containers, Waste piles	32	24	16	8
Tanks with secondary containment attempting clean closure	32	24	16	8
Tanks without secondary containment attempting clean closure	48	40	16	
Tanks with or without secondary containment closing as landfill	56 ¹		24 ²	
Surface impoundments attempting clean closure	64 ¹		24 ²	
Surface impoundments and waste piles closing as landfill; landfills	56 ¹		24 ²	
Incinerators	24		8	
Land Treatment Units	56		24	
OB/OD	56		24	

NOTE: Up to 40 additional man-hours will be allotted when the facility requests approval of health based clean up standards.

¹ Includes 24 man-hours for geologist review of ground water monitoring, if none in place.

² Includes 16 man-hours for geologist review of ground water monitoring plan.